

**IN THE SOLOMON ISLANDS MAGISTRATES' COURT
AT HONIARA**

Criminal Case Number 210 of 2018



REGINA

v.

NOEL NIA MABIA

Before Principal Magistrate Ms. Fatimah Taeburi
Ms. Dalcy Belapitu (DPP) for the Crown.
Mr. Bobby Harunari (PSO) for the defendant.

Date of Hearing: 15th November 2019


Date of Sentence: 19th November 2019

SENTENCE

1. You pleaded guilty to one count of assault causing actual bodily harm contrary to section 245 and two counts of common assault contrary to section 244 of the Penal Code.
2. The facts in your case are as follows;
3. You were armed with a stick and you assaulted three women in this case. One of the women sustained injuries as a result of the assault.
4. I convict you on these facts.
5. I consider the following aggravating facts;
6. You were armed with a stick. I cannot suspend any sentence imposed.
7. You assaulted not only a woman but three women. You must learn to respect women.
8. It appears from the facts that your actions were unprovoked.

9. I find the following mitigating factors;
10. You pleaded guilty to the charges. In fact you have admitted the charges in 2018. You again pleaded guilty to the same charges in October 2019. There was a delay in dealing with the matter because there were indications that you were mentally unwell. The legal process involved in dealing with your mental state of mind has caused the delay here.
11. I take your personal circumstances and your mental issues into account.
12. You have no previous convictions.
13. You are a young man and still single.
14. I consider the maximum penalties for the offences you committed.
15. I also take into account that you have been remanded in custody since the 25th of October 2018.
16. In my view, in the circumstances of the case, the appropriate sentence are as follows;
 - a) Count 1 - 6 months imprisonment;
 - b) Count 2 - 1 month imprisonment;
 - c) Count 3 - 1 month imprisonment;
17. All sentences are to be served concurrently; therefore you are sentenced to a total sentence of 6 months imprisonment.
18. You have served your time in prison. I order that you be released from custody at the rising of the court.
19. Right of appeal within 14 days.




Ms. Fatimah Taeburi
Principal Magistrate